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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,585	10/31/2002	Lung-Sheng Lee	FTCP0013USA	9765
27765 7590 01/18/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER O CONNOR, BRIAN T	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/18/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/065,585

Applicant(s)

LEE ET AL.

Examiner

Brian T. O'Connor

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-813)
- Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to applicant's amendment received on 11/07/2006.
2. Claim 1 has been amended. Claims 1-13 are pending.

### *Claim Objections*

3. Claim 6 is objected to because of the following informalities:  
Suggest changing "**Specification**" to "**specification**" on line 2 and changing "**System**" to "**system**" on line 2. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. The term "additional" in claim 10 is a relative term which renders the claim indefinite. The term "additional" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Claim 10 recites "additional link states" and "additional register sets" but the specification does not clearly support or define these limitations.

***Claim Rejections - 35 USC § 102***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1, 3, 4, 7, 8, 10, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishifuji et al. (U.S. 6,061,389 hereafter Ishifuji).

**With respect to claim 1**, Ishifuji discloses a radio device (500 of figure 5) that changes frequencies according to a pattern or look-up table (521 of figure 5) at regular time slots (Hopped frequency of Mobile Station in figure 11). The radio device comprises a receive-state register set (530 of figure 5; column 10, line 66—column 11, line 12; where this operational state is viewed as a standby link state);

a transmit-state register set (521 of figure 5; column 10, lines 58-6; where this operational state is viewed as a connection link state);

a switch or multiplexer (532 of figure 5) that connects the output of the two register sets or tables for selection of either table;

a link state controller (531 of figure 5; column 10, line 66—column 11, line 3) to selection which table is connected to the synthesizer (111 of figure 5);

a synthesizer (111 of figure 5) which must have a working register set to receive the selected frequency channel parameters from the switch; and

a synthesizer (111 of figure 5) or frequency channel controller to control the oscillators (103, 107 of figure 5) according to the selected frequency channel parameters.

Ishifuji discloses that the frequency hopping pattern tables (521, 531 of figure 5) are stored with frequency control words (221 of figure 7B; column 9, line 66—column 10, line 13) that must be controlled with a periodic timer to read out the entire list of frequencies.

**With respect to claim 3**, Ishifuji further discloses that the frequency control parameters are loaded into the synthesizer ahead of the next time slot as set by the periodic timer (column 14, lines 13-22).

**With respect to claim 4**, Ishifuji further discloses an RF device (107, 117, 152, 118, 117, 101 of figure 5) connected to the synthesizer to transmit and receiver radio signals according to the synthesizer.

**With respect to claim 7**, Ishifuji further discloses a different set of frequencies for each state (226 of figure 7A; 221 of figure 7B).

**With respect to claim 8**, Ishifuji further discloses a base station (402 of figure 1) or second radio device which sets the frequency hopping pattern by transmitting a base station ID (743 of figure 6) in a control packet. The base station also controls the transmit operational state of the mobile station with a right designation code (704 of figure 6) in the control packet.

**With respect to claim 10**, Ishifuji further discloses m sets of link states as hopping pattern IDs (221 of figure 7B) which are connect to m sets of frequency sequences (HFP1, HFP2 of figure 7B) used to control frequency transmit parameters in the transmit-state of the mobile station.

**With respect to claim 11**, Ishifuji discloses a method for controlling the operational state of a mobile station comprising the steps of:

storing receiving (standby) frequency parameters (226 of figure 7A) in a register set (530 of figure 5);

storing transmitting (connection) frequency parameters (221 of figure 7B) in a register set (521 of figure 5);

selecting the transmitting frequency parameters during the transmission state (column 14, lines 13-22);

selecting the receiving frequency parameters during the reception state (column 10, line 66—column 11, line 12); and

inputting the selected frequency channel parameters into a synthesizer (111 of figure 5) before the start of the next time slot for controlling the mobile station (column 10, line 66—column 11, line 3).

**With respect to claim 12**, Ishifuji further discloses a periodic timer or timer counter to synchronize all the steps (column 13, line 55—column 14, line 10).

***Claim Rejections - 35 USC § 103***

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. Claims 2, 5, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishifuji in view of Belanger et al. (U.S. 5,729,680 hereafter Belanger).

**With respect to claims 2 and 13**, Ishifuji discloses all the subject matter of claims 1 and 11, but Ishifuji does not disclose a software interrupt service routine (ISR)

used to determine the operational state of the mobile station from one time slot to the next.

Belanger discloses a software ISR used to determine the operational state of the mobile station from one time slot to the next (column 9, line 63—column 10, line 11; where the MEDIAISR.ASM controls the transmission and reception of frame and thereby must control the operational state of the mobile unit).

Belanger realizes the benefit of greater design flexibility and customization by using software to control hardware elements in a mobile unit. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the ISR of Belanger with the system of Ishifuji.

**With respect to claim 5**, Ishifuji discloses all the subject matter of claim 4, but Ishifuji does not disclose delaying the switching operation by the RF settling time of the RF device.

Belanger discloses delaying the switching operation by the RF settling time of the RF device (column 38, line 38—column 39, line 18).

Belanger realizes the benefit of more stable RF transmission and reduced error by waiting for the RF devices to settle before sending new commands to them. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the extra delay time of Belanger with the system of Ishifuji.

**With respect to claim 9**, Ishifuji discloses all the subject matter of claim 1, but Ishifuji does not disclose that when in a transmission state the periodic timer is created by and received from a second radio device.

Belanger discloses that when in a transmission state the periodic timer is created by and received from a second radio device (column 23, lines 19-30; where the HOP TICK field is send from an access point unit or second radio device and is used to change frequencies in the hopping pattern).

Belanger realizes the benefit of faster synchronization between mobile units and access point units by using a HOP TICK field. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the HOP TICK field of Belanger with the system of Ishifuji.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishifuji in view of Orava (U.S. 6,829,288).

**With respect to claim 6**, Ishifuji discloses all the subject matter of claim 4, but Ishifuji does not disclose designed the mobile station according to the Bluetooth system standard.

Orava discloses conforming the design of wireless devices to Bluetooth technology standards (column 2, lines 4-19).

Orava realizes the benefit of enhanced transmission security by complying with the Bluetooth standard (column 1, lines 42-67). Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the Bluetooth standard as taught by Orava with the system of Ishifuji.



***Response to Arguments***

12. Applicant's arguments, see Pg 8-9, filed 11/07/2006, with respect to the rejection(s) of claim(s) 1-4, 7, 8, 10, 11 and 13 under Paik have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishifuji and Belanger.

13. Applicant's arguments, see Pg 8-9, filed 11/07/2006, with respect to the rejection(s) of claim(s) 5 under Paik and Bronte have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishifuji and Belanger.

14. Applicant's arguments, see Pg 8-9, filed 11/07/2006, with respect to the rejection(s) of claim(s) 6 under Paik and Brown have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishifuji and Orava.

15. Applicant's arguments, see Pg 8-9, filed 11/07/2006, with respect to the rejection(s) of claim(s) 9 under Paik and Anderson have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishifuji and Belanger.

16. Applicant's arguments, see Pg 8-9, filed 11/07/2006, with respect to the rejection(s) of claim(s) 12 under Paik and Humblet have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishifuji.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian T. O'Connor whose telephone number is 571-270-1081. The examiner can normally be reached on 9:00AM-6:30PM, M-F, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian T. O'Connor  
January 9, 2007

  
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